

**SUPREME COURT MINUTES
MONDAY, APRIL 7, 2008
SAN FRANCISCO, CALIFORNIA**

S130839 C039617 Third Appellate District

**LONICKI (ANTONINA) v.
SUTTER HEALTH CENTRAL**

Opinion filed: Judgment reversed

The judgment of the Court of Appeal is reversed, and the matter is remanded to that court for further proceedings consistent with this opinion.

Opinion by: Kennard, J.

-----joined by: George, C. J., and Werdegarr, J.

Concurring and dissenting opinion by: Chin, J.

-----joined by: Baxter and Corrigan, JJ.

Concurring and dissenting opinion by: Moreno, J.

S139609 A105164 First Appellate District, Div. 5
(MICHAEL

**PEOPLE v. PITTO
CHRISTOPHER)**

Opinion filed: Affirmed in part, reversed in part

The judgment of the Court of Appeal is reversed insofar as that court vacated the finding and enhancement under section 12022(c). In all other respects, the judgment is affirmed.

Opinion by: Baxter, J.

-----joined by: George, C. J., Werdegarr, Chin, Moreno, and Corrigan, JJ.

S160858

**BERLANGA (RICKY
STALLION) ON H.C.**

Petition ordered withdrawn

Pursuant to written request of petitioner the above-entitled petition for writ of habeas corpus is ordered withdrawn.

E043151 Fourth Appellate District, Div. 2

**PEOPLE v. HARDY
(CLIFFORD CURTIS)**

The time for granting review on the court's own motion is hereby extended to May 21, 2008. (Cal. Rules of Court, rule 8.512(c).)

S160545 C053816/C053922 Third Appellate District

**PEOPLE v. KIRCHNER
(KRISTOPHER)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 13, 2008.

S160724 B191411 Second Appellate District, Div. 7

**PEOPLE v. GARCIA
(CARLOS GUADALUPE)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 9, 2008.

S160754 C052801 Third Appellate District

**PEOPLE v. CURRY
(DWAYNE MICHAEL)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 9, 2008.

S160775 B195902 Second Appellate District, Div. 1

**PEOPLE v. HAGAN
(THEODORE J.)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 9, 2008.

S160835 G038150 Fourth Appellate District, Div. 3

**PEOPLE v. MARTINEZ
(RENE)**

The time for granting or denying review in the above-entitled matter is hereby extended to May 15, 2008.

S033901

**PEOPLE v. THOMPSON
(CATHERINE)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Gail R. Weinheimer's representation that she anticipates filing the appellant's reply brief by October 2008, counsel's request for an extension of time in which to file that brief is granted to June 6, 2008. After that date, only two further extensions totaling about 120 additional days are contemplated.

S053228**PEOPLE v. ALEXANDER
(ANDRE STEPHEN)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Susan Ten Kwan's representation that she anticipates filing the supplemental appellant's reply brief by June 7, 2008, counsel's request for an extension of time in which to file that brief is granted to June 9, 2008. After that date, no further extension will be granted.

**S073205
(JACK****PEOPLE v. WILLIAMS
EMMIT)**

Extension of time granted

Good cause appearing, and based upon counsel R. Clayton Seaman, Jr.'s representation that he anticipates filing the appellant's reply brief by January 15, 2009, counsel's request for an extension of time in which to file that brief is granted to June 13, 2008. After that date, only four further extensions totaling about 210 additional days are contemplated.

S086355**PEOPLE v. DAVIS, SR.,
(KEITH ALLEN)**

Extension of time granted

Good cause appearing, and based upon counsel Pamala Sayasane's representation that she anticipates filing the appellant's opening brief by Fall 2008, counsel's request for an extension of time in which to file that brief is granted to June 10, 2008. After that date, only two further extensions totaling about 120 additional days are contemplated.

S087533**PEOPLE v. POPS (ASWAD) &
WILSON (BYRON)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Joseph E. Chabot's representation that he anticipates filing appellant Byron Wilson's opening brief by November 10, 2008, counsel's request for an extension of time in which to file that brief is granted to June 9, 2008. After that date, only three further extensions totaling about 150 additional days are contemplated.

S100735**PEOPLE v. LANDRY (DANEL
GARY)**

Extension of time granted

Good cause appearing, and based upon counsel Donald R. Tickle's representation that he anticipates filing the appellant's opening brief by September-November 2008, counsel's request for an extension of time in which to file that brief is granted to June 3, 2008. After that date, only three further extensions totaling about 150 additional days are contemplated.

S156833**MANCILLA (MOSES R.) ON
H.C.**

Extension of time granted

On application of the Attorney General and good cause appearing, it is ordered that the time to serve and file the respondent's informal response is extended to May 2, 2008.

S156933**J. (E.) ON H.C.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file a single, consolidated answer to the amici curiae briefs is extended to May 7, 2008.

S157001 B198538 Second Appellate District, Div. 3**FAIRBANKS (PAULINE) v.
S.C. (FARMERS NEW
WORLD LIFE INSURANCE)**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to May 5, 2008.

S157631**P. (S.) ON H.C.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file a single, consolidated answer to the amici curiae briefs is extended to May 7, 2008.

S157633**S. (J.) ON H. C.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file a single, consolidated answer to the amici curiae briefs is extended to May 7, 2008.

S157793 H030647 Sixth Appellate District**GUZMAN (JAVIER R.) v.
COUNTY OF MONTEREY**

Extension of time granted

On application of Javier R. Guzman and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to April 21, 2008.

S158073**COWAN (ROBERT WESLEY)
ON H.C.**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to informal response to the petition for writ of habeas corpus is extended to June 9, 2008.

S158076 C052606 Third Appellate District**PEOPLE v. DIECK (RONALD
WILLIAM)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the respondent's answer brief on the merits is extended to May 6, 2008.

S158676**GONZALES (LARRY DEAN)
ON H.C.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the respondent's informal response is extended to April 16, 2008. No further extension is contemplated.

S159282 H031292 Sixth Appellate District**R. (JULIAN), IN RE**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to May 2, 2008.

S160608**CRABTREE (ARTHUR) ON
H.C.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the informal response to petition for writ of habeas corpus is extended to May 1, 2008.

S157197**HUGHES (SUZAN) v. PAIR
(CHRISTOPHER)**

Permission to file amicus curiae brief granted

The application of California Association of Realtors for permission to file an amicus curiae brief in support of respondent is hereby granted. An answer thereto may be served & filed by any party within 20 days of the filing of the brief.

S120750**(KEVIN****PEOPLE v. PEARSON
DARNELL)**

Counsel appointment order filed

Conrad Petermann, previously appointed as counsel of record to represent appellant Kevin Darnell Pearson for the direct appeal in the above automatic appeal now pending in this court, is hereby appointed to also represent appellant Kevin Darnell Pearson for habeas corpus/executive clemency proceedings related to the above automatic appeal.

S159866

C052984 Third Appellate District

**PEOPLE v. DANIELS
(CLARENCE)**

Counsel appointment order filed

Upon request of appellant Clarence Daniels for appointment of counsel, Linda Zachritz is hereby appointed to represent appellant on the appeal now pending in this court.

S160067

H029708 Sixth Appellate District

**PEOPLE v. ESPINO (DAVID
ANTHONY)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Paul Carroll is hereby appointed to represent appellant on the appeal now pending in this court.

S107856**CREW (MARK
CHRISTOPHER) ON H.C.**

Order filed

Good cause appearing, and based upon counsel Senior Deputy State Public Defender Andrew S. Love's representation that he anticipates filing the petitioner's exceptions to the referee's findings of fact and simultaneous brief on the merits by May 1, 2008, counsel's request for an extension of time in which to file that brief is granted to May 1, 2008. After that date, no further extension is contemplated.

S162218**PEOPLE v. NGUYEN (TIEN MINH)**

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S162270**PALMER III (WILL MOSES) v. S.C. (PEOPLE)**

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

B203060

Second Appellate District, Div 7

TABOO GENTLEMEN'S CLUB v. CITY OF ARCADIA

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Seven to Division Two.

B203253

Second Appellate District, Div. 2

CALIFORNIA WATER IMPACT NETWORK v. CASTAIC LAKE WATER AGENCY

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Two to Division Seven.

C058514

Third Appellate District

TOWN OF HILLSBOROUGH v. WORKERS' COMPENSATION APPEALS BOARD

The above-entitled matter, now pending in the Court of Appeal, Third Appellate District, is transferred to the Court of Appeal, First Appellate District.

Fourth Appellate District, Div. 2 **TRANSFER ORDERS**

The following matters, now pending in the Court of Appeal, Fourth Appellate District, are transferred from Division Two to Division Three:

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| 1. | E044257 | People v. Rickey Lamar Armendariz |
| 2. | E044712 | People v. Daniel Olguin et al. |
| 3. | E044757 | People v. Mario Gonzalez |
| 4. | E044794 | People v. J. W. Henry |
| 5. | E044862 | People v. Tomas Villa Zavala |
| 6. | E044913 | People v. Billy Ray Castleberry |
| 7. | E044914 | People v. Jason Rashad Pezant |
| 8. | E044987 | People v. Robert Cadogan |